

### 30-4.9A - C-C, Community Commercial Zone.

- a. *General.* The Community Commercial Zoning District is intended to provide for general retail, personal service use, offices, restaurants, hotels/motels, service stations, public and quasi-public uses and similar and compatible uses serving a community-wide need under design standards which ensure compatibility and harmony with adjoining land uses. Emphasis is on pedestrian-oriented retail and service uses on the ground floor level, with office and residential uses on the upper levels. Automobile related uses are regulated by use permit and prohibited on Park Street and Webster Street frontages.
- b. *Uses Permitted.*
1. The following retail sales and services are permitted in the C-C District:
    - (a) Antiques and collectibles,
    - (b) Appliances, large and small,
    - (c) Art gallery,
    - (d) Arts and crafts supplies,
    - (e) Arts and crafts store,
    - (f) Bakery, including use of the commercial kitchen for catering as an accessory use,
    - (g) Bank, saving and loan, including ATM facilities but excluding drive-through facilities,
    - (h) Bicycle store,
    - (i) Blueprint shop,
    - (j) Books, periodicals, and comics, including reading rooms,
    - (k) Camera store,
    - (l) Candy store,
    - (m) Clock or watch store,
    - (n) Clothing store, new inventory only,
    - (o) Coffee house, including retail,
    - (p) Coin store,
    - (q) Computer store,
    - (r) Delicatessen,
    - (s) Department store,
    - (t) Drug store and pharmacy, including fountain and food service,
    - (u) Dwelling units—when the units are located in structures also containing nonresidential uses and are not located on the ground floor,
    - (v) Electronic items, retail only,
    - (w) Fabric and notions,
    - (x) Florist,
    - (y) Frame shop,
    - (z) Furniture store, new inventory only,
    - (aa) Grocery store,
    - (bb) Hairstyling and beauty salons, including, but not limited to, body care services such as manicures, pedicures, makeup, facials, waxing, electrolysis, tanning within the Park Street CC district only. Piercing, tattoo and massage allowed when accessory to the primary use of hairstyling provided no more than two (2%) percent of the floor area is devoted to the accessory use,
    - (cc) Hardware store,
    - (dd) Home furnishings,
    - (ee) Ice cream store,
    - (ff) Jewelry or beads store, including piercing as an accessory use provided no more than two (2%) percent of the floor area is devoted to the accessory use,
    - (gg) Laundry and cleaning establishments, including pressing, spotting, garment repair and alterations and self-operated facilities when accessory to the primary use,
    - (hh) Lighting fixtures,
    - (ii) Luggage store,
    - (jj) Medical supplies store,
    - (kk) Music store, including the sale of recorded music, sheet music and instruments,
    - (ll) Newspaper offices,
    - (mm) Office uses (medical and professional) not associated with permitted retail sales use of the site, provided that for any building which is on a site adjoining a public street, public alley or public sidewalk, fifty (50%) percent in depth of the ground floor space directly behind that building frontage closest to the public street, public alley or public sidewalk shall be reserved for retail sales and/or service uses permitted in the district,
    - (nn) Paint and wallpaper store,
    - (oo) Pet supplies, pet grooming, or pet sales providing a finding is made by the Planning Director that sufficient air conditioning and soundproofing will be provided to effectively confine odors and noise so as not to interfere with the public health, safety and welfare of adjoining properties. No outside pens or runs shall be permitted. Pet boarding allowed as an accessory use,
    - (pp) Photography store, including photo developing and studio,

- (qq) Plumbing and electrical supply or fixture store, provided more than fifty (50%) percent of the floor space is devoted to retail sales,
- (rr) Political campaign offices, not to exceed six (6) months total time nor eight (8) months if the campaign is both primary and election,
- (ss) Printing establishment,
- (tt) Repair shop for shoes, radios/televisions, small domestic appliances, watches and jewelry and similar non-auto related items,
- (uu) Restaurant, coffee shop, snack bar, lunch counter, including catering as an accessory use but excluding drive-through service,
- (vv) Shoe store,
- (ww) Sporting goods store, golf shop and similar sports supplies store,
- (xx) Stationery and card store,
- (yy) Tailor and dressmaking, haberdashery, millinery excluding wholesale manufacturing,
- (zz) Toy store,
- (aaa) Travel agency,
- (bbb) Video store, including retail and rental.

2. Other uses which the Planning Director finds similar to the above list and consistent with the purpose of the CC zoning district, provided the following uses are expressly prohibited: check cashing business, gun and firearms sales when more than five (5%) percent of the floor area is devoted to this use, massage establishments except massage is allowed as a home occupation and accessory to health care uses and hairstyling, pawn shop, tobacco and tobacco products stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses in the C-C District. The determination of similar use by the Planning Director shall be included on the agenda for the next available planning board meeting and confirmed by the planning board. Determinations of similar use are also subject to appeal pursuant to section [30-25](#)

**c. Uses Requiring Use Permits.**

1. The following retail sales and services require approval of a use permit in the C-C District by the Planning Board as regulated by subsection [30-21.3](#). In addition to the findings included in subsection [30-21.3](#) approval of a use permit is subject to finding the use consistent with the policies of the General Plan and the purpose of the CC Zoning District.
  - (a) Any use in this district that does business between the hours of 10:00 p.m. and 7:00 a.m.,
  - (b) Any permitted or conditional use which is not conducted within an enclosed structure,
  - (c) Athletic club and health facilities, including massage as an accessory use,
  - (d) Auditoriums,
  - (e) Automobile detail shop. In the Park Street C-C District this use shall not front on nor have access to Park Street. In the Webster Street C-C District this use shall not front on nor have access to Webster Street and shall be further limited to the area north of the centerline of Pacific Avenue and the area at the southwest corner of Webster Street and Pacific Avenue bounded by lines eighty-five (85') feet south of the Pacific Avenue right-of-way and one hundred eighteen (118') feet west of the Webster Street right-of-way,
  - (f) Automobile parts store, wholesale and retail,
  - (g) Automobile rental, subject to the location restrictions specified in subsection [30-4.9.A c.1.\(e\)](#),
  - (h) Automobile repair shop, subject to the location restrictions specified in subsection [30-4.9.A c.1.\(e\)](#),
  - (i) Automobile showroom/sales, provided it is within a completely enclosed building and excluding businesses with sales devoted primarily to use vehicles,
  - (j) Bars, within the Park Street C-C District only. Bars are not allowed in the Webster Street C-C District,
  - (k) Beauty college,
  - (l) Bed and breakfast facility, upon compliance with standards set forth in the definition for bed and breakfast in Section [30-2](#)
  - (m) Business college,
  - (n) Catering business,
  - (o) Commercial parking lot or structure,
  - (p) Convenience store,
  - (q) Day spa, including massage as an accessory use,
  - (r) Drive-through restaurant and other drive-through establishments, but excluding drive-in movie theater subject to the location restrictions specified in subsection [30-4.9.A c.1.\(e\)](#),
  - (s) Dwelling units, provided they are located on the second or third floor only when the units do not comply with the off-street parking requirements,
  - (t) Gasoline service stations, exclusive of body, chassis and painting work, provided that all operations except the service with gasoline, oil, air and water shall be conducted within a building. See also yard requirements for gasoline stations, paragraph (g) of this subsection and driveway requirements subsection [30-5.7i](#),
  - (u) Gun and firearms sales when accessory to a sporting goods store provided the gun and firearms sales are limited to no more than five (5%) percent of the retail area,
  - (v) Hairstyling and beauty salons, including, but not limited to, body care services such as manicures, pedicures, make up, facials, waxing, electrolysis, tanning within the Webster Street C-C district only.
  - (w) Hotel and motel, provided floor area devoted to a retail service use allowed within this district is included on the ground floor,
  - (x) Liquor store,
  - (y) Lodge hall and social club,
  - (z) Martial arts, dance, jazzercise and similar uses,

- (aa) Medical facility,
  - (bb) Music studios,
  - (cc) Office use (medical and professional) not associated with a permitted or conditional use in this district and/or to be located on a site adjoining a public street, public alley or public sidewalk and within fifty (50%) percent of the depth of the ground floor space directly behind that building frontage closest to the public street, public alley or public sidewalk,
  - (dd) Plant nursery,
  - (ee) Public park, public and private school, church and religious institution, library, nursery and day care center, playground, fire station and other public buildings and uses included in the General Plan,
  - (ff) Public and private utilities, including above ground and underground facilities primarily for local service such as substations, gas regulators, manned or unmanned communications equipment buildings, and similar uses,
  - (gg) Self-operated laundry and cleaning establishments,
  - (hh) Large format retail including conversion of existing multiple retail tenant spaces to a single tenant space larger than thirty thousand (30,000) square feet (if part of a planned development, no use permit is required). Super stores, as defined in Section 30-2, are prohibited,
  - (ii) Small upholstery shops, exclusive of refinishing and other furniture repair or manufacturing,
  - (jj) Stores devoting commercial area, gross sales, or inventory, to the sale of second quality, irregular or discontinued merchandise or to the liquidation of merchant's or manufacturer's stock,
  - (jj) Tattoo parlors located on the ground floor in the Webster Street CC district.
  - (kk) Tavern,
  - (ll) Theater, including movie and live,
  - (mm) Those portions of grocery stores devoted to the sale of alcoholic beverages,
  - (nn) Upholstery shop, exclusive of refinishing and other furniture repair or manufacturing,
  - (oo) Used household articles and clothing stores,
  - (pp) Veterinary clinic and/or veterinary hospital, provided the Planning Board finds the use has sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety and welfare. No outside pens or runs shall be permitted.
  - (qq) Yoga studios located on the ground floor.
2. Other uses which the Planning Director finds similar to the above list and consistent with the purpose of the CC Zoning District subject to use permit approval by the Planning Board, provided the following uses are expressly prohibited: check cashing business, gun and firearms sales when more than five (5%) percent of the floor area is devoted to this use, massage establishments except massage is allowed as a home occupation and accessory to health care uses and hairstyling, pawn shop, tobacco and tobacco products stores except the sale of tobacco and tobacco products is allowed as accessory to other permitted or conditionally permitted uses in the C-C District, tattoo shop. The determination of similar use by the Planning Director shall be included on the agenda for the next available Planning Board meeting and confirmed by the Planning Board. Determinations of similar use are also subject to appeal pursuant to Section 30-25
- d. *Accessory Uses, Buildings, and Structures.*
1. The following accessory uses, buildings and structures are permitted in the C-C District:
- (a) Incidental storage and accessory uses, including repair operations and services, provided such uses shall be incidental to the retail sale of products on the premises, shall not employ more than five (5) persons excluding sales personnel, and shall be placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration,
  - (b) Other uses and structures which are customarily incidental and clearly subordinate to permitted and conditional use as determined by the Planning Director.
- e. *Design Review Required.* All new structures or buildings, or exterior revisions of any existing structures or buildings for both permitted and conditional uses shall require design review pursuant to Article II, Section 30-35
- f. *Signs.* Signs are allowed as provided by Section 30-6 of this article. A sign permit is required prior to placement of any signage on property in Alameda.
- g. *Development Regulations.*
1. Lot Area and Lot Width: None.
2. Building Height Limit: Building height shall be regulated as follows: Park Street District—Maximum height shall be five (5) stories but not to exceed sixty (60') feet for properties fronting on Park Street north of Encinal Avenue. In the remaining areas of the Park Street C-C District the height limit shall be three (3) stories but not to exceed forty (40') feet and the height within this area may be increased to a maximum of five (5) stories but not to exceed sixty (60') feet upon approval of a use permit. Parking structures, including parking structures which have a commercial use component, are exempt from the height limit provided the structure does not exceed six (6) stories, the commercial floor area does not exceed fifty (50%) percent of the overall floor area of the structure, and public parking is provided in addition to the parking required for the commercial component.
- Webster Street District—Maximum height shall be three (3) stories but not to exceed forty (40') feet throughout the C-C District.
3. Building Coverage: Buildings may cover one hundred (100%) percent of the building site, provided the ratio of all floor space to lot size shall not exceed three (3) to one (1).
4. Front Yard: None.
5. Side Yard: No yard or a minimum of twelve (12') feet, however, where any lot abuts a residential district there shall be a minimum side yard of five (5') feet.
6. Rear Yard: None, however, where the rear portion of the lot is accessible from a street, alley or parking lot, or combination thereof, the rear yard shall be a minimum of twelve (12') feet; provided, further, that any structure may project over such required rear yard if a fourteen (14') foot clear vertical distance between the structure and ground level is maintained.

7. Yards for Gasoline Service Stations (In addition to the yard requirements prescribed for the zoning districts):
  - (a) A setback of ten (10') feet shall be maintained from property lines that abut the rear yard of a lot located in a residential district or a lot in residential use.
  - (b) A setback of fifteen (15') feet shall be maintained from property lines that abut the side yard of a lot located in a residential district or in residential use.
8. Off-street Parking and Loading Space: As regulated by Section 30-7 unless a parking exception is granted.
  - (a) A parking exception may be approved for new construction or existing buildings converted to new uses reducing the number of parking spaces to less than the number specified in the parking schedule in Section 30-7.6 provided the following findings are made by the Planning Board:
    - (i) The parking demand will be less than the requirements in Section 30-7.6, and
    - (ii) The probable long-term occupancy of the building or structure based on its design, will not generate additional parking demand.
  - (b) A parking exception granted by the Planning Board shall be limited to the specific structure and use. Any future alterations to the building or changes in the use shall require a new parking exception or shall be required to meet the parking supply requirements of the parking schedule in Section 30-7.6

(Ord. No. 2850 N.S. § 1; Ord. No. 2920 N.S. §§ 8, 9; Ord. No. 2953 N.S. § 1; Ord. No. 2979 N.S. § 4; Ord. No. 2984 N.S. § 4)

(Ord. No. 3025 N.S., §§ 1, 2, 12-7-2010)